



UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899-

APR 2 2010

Mr. Michael Quick
[REDACTED]

COPY

Dear Mr. Quick,

This letter is a revised final response to your November 13, 2008, Freedom of Information Act (FOIA) #09-11 request to the National Institute of Standards and Technology (NIST) in which you requested "a complete 'Certified' legitimate copy of the Computer Models used by NIST to come to the conclusions it reached in the investigation of events of September 11, 2001." On November 18, 2008 you clarified your request to include "only the model in question that was released on NIST's website in reference to World Trade Center (WTC) 7 demise."

Under the previous final response letter dated January 6, 2010, NIST released a disk that contained 19,114 files (approximately 20% of all responsive records) that could be released and were responsive to your request for the Computer Models used by NIST. It recently came to the attention of the NIST Staff that prepared the original disk that it did not contain all the files that should have been released at that time due to an error in the copying process. At this time NIST is releasing a revised disk that contains 25,644 files (approximately 27% of all responsive records) that can be released and are responsive to your request for the computer models used by NIST. The files on the disk contain input files of a version of the 16-story ANSYS model of the WTC 7 structure that does not include the connection models and was analyzed with service gravity loads, 3 sets of ANSYS input temperature files, and input files of the 47-story LS-DYNA global collapse model of the WTC 7 structure with no connection details.

The files omitted from the disk provided to you on January 6, 2010 were counted in the 74,777 files that we stated we were withholding. This release includes additional files which decreases the number of files we are withholding to 68,246 files (approximately 73% of all responsive records). The NIST Director determined that the release of these data might jeopardize public safety. This withheld data include remaining input and all results files of the ANSYS 16-story collapse initiation model, break element source code, ANSYS script files for the break elements, custom executable ANSYS file, all input and results files of the LS-DYNA 47-story global collapse model, and all spreadsheets and other supporting calculations used to develop floor connection failure modes and capacities. In order to work with the ANSYS and LS-DYNA files, a copy of the licensed software is required.

These records are currently exempt from disclosure under section (b)(3) of the FOIA, 5 U.S.C. § 552(b)(3). Exemption (b)(3) permits an agency to withhold records in an agency's possession which are records that are "specifically exempted from disclosure by statute (other than 5 U.S.C. 552(b)), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld."

The statute underlying the (b)(3) exemption in this case is the National Construction Safety Team (NCST) Act, 15 U.S.C. § 7301 et seq. Section 12 of the NCST Act (15 U.S.C. § 7311) provides that it applies to the activities of NIST in response to the attacks of September 11, 2001. Section 7(d) of the NCST Act (15 U.S.C. § 7306(d)), exempts from disclosure, information received by NIST in the course of the investigations regarding building failures if the Director finds that the disclosure of the information might jeopardize public safety. On July 9, 2009, the Director of NIST determined that release of the withheld information might jeopardize public safety. Therefore, these records are being withheld.

Sincerely,



Catherine S. Fletcher

Freedom of Information Act Officer

Enclosure